

Alabama
Board of Examiners of Assisted Living Administrators
Regular Board Meeting

Date: Thursday, February 2, 2006
Time: 10:17 a.m.

Place: 5921 Carmichael Road
Montgomery, AL

Members Present: Mamie Mahone, presiding
Eddie Cummings
Gloria Walker
Bridget Cox Hammett
Susan Durden
David Wilbanks

Others Present: Cheryl Schuetze, attorney, Office of Attorney General; Christy Baynes,
Executive Director

Members Absent: Kathy Tankersley
Boyde Harrison

Call to Order: The regular Board Meeting of the Board of Examiners of Assisted Living Administrators was called to order by the vice chair, Mamie Mahone, at 10:17 a.m. It was noted that six of the eight board members were in attendance. Also present was Christy Baynes, Executive Director of Board of Examiners of Assisted Living Administrators. Cheryl Schuetze, the board's representative from the Office of Attorney General was also in attendance.

Introduction of New Members: David Wilbanks was introduced as the new nursing home administrator board representative.

Agenda: After reviewing the agenda for today's meeting, Gloria Walker made a motion to adopt the agenda as written for this meeting. The motion was seconded by Eddie Cummings and unanimously approved by Mamie Mahone, Eddie Cummings, Susan Durden, Gloria Walker, Bridget Hammett and David Wilbanks by a show of hands.

Board Minutes: The Board reviewed the minutes from the October 19, 2005 regular board meeting. A motion was made by Gloria Walker and seconded by Eddie Cummings to approve the minutes as written. No discussion was held and there was unanimous approval of this motion by Mamie Mahone, Eddie Cummings, Susan Durden, Gloria Walker, Bridget Hammett and David Wilbanks by a show of hands.

Update on Change of Statute- Part-Time Employee: Christy Baynes reported that Frank Holden, President, Assisted Living Association of Alabama, has submitted the change of statute language for the part-time employee to the legislature.

Quarterly Licensee Report: Christy Baynes presented the Quarterly Licensee report. There was discussion regarding administrators notifying the Board of Examiners and the Department of Public Health when there was a change in administrator. Education will be provided to the licensees regarding this issue.

Administrator Complaint Process: Cheryl Schuetze described the board's complaint and hearing process when an administrator complaint is filed, including the Probable Cause Committee.

Probable Cause Committee: Gloria Walker made a motion that the Probable Cause Committee is a rotating committee that changes every quarter (i.e., Mamie Mahone- first quarter; Susan Durden- second quarter; etc.). The motion was seconded by Eddie Cummings there was no further discussion and the motion was unanimously approved by Mamie Mahone, Eddie Cummings, Susan Durden, Gloria Walker, Bridget Hammett and David Wilbanks by a show of hands.

Other Business: Cheryl Schuetze presented the Alabama Open meeting Act, Sunshine Law Act No. 2005-40 and noted the requirement for every open meeting to be advertised seven days in advance of the meeting on the Secretary of State's website. The October 19, 2005 meeting was not appropriately advertised on this website. Eddie Cummings made a motion to approve all decisions reached by the board in the open and closed meetings on October 19, 2005. The motion was seconded by Bridget Hammett there was no further discussion and the motion was unanimously approved by Mamie Mahone, Eddie Cummings, Susan Durden, Gloria Walker, Bridget Hammett and David Wilbanks by a show of hands.

Christy Baynes discussed the need for the board to request an Attorney General's opinion concerning the board members terms. Cheryl Schuetze presented two reviews of other board statutes and the Attorney General's opinions concerning these boards' terms. Bridget Hammett made a motion to submit the following question for an Attorney General's opinion: "Do the terms of the current Board of Examiners of Assisted Living Administrators commence on April, 2005 or the date the governor appointed?". The motion was seconded by Gloria Walker there was no further discussion and the motion was unanimously approved by Mamie Mahone, Eddie Cummings, Susan Durden, Gloria Walker, Bridget Hammett and David Wilbanks by a show of hands.

Bridget Hammett made a motion for the board to go into executive session for the purpose of examining a formal complaint filed against an individual, Section IV (B) 2 of the Alabama Open Meetings Act, Act No. 2005-40. Eddie Cummings seconded the motion there was no further discussion and the motion was unanimously approved by Mamie Mahone, Eddie Cummings, Susan Durden, Gloria Walker, Bridget Hammett and David Wilbanks by a show of hands.

The Board will not reconvene after the executive session.

Adjournment: At 12:04 p.m., Gloria Walker made a motion, seconded by Bridget Hammett, and unanimously agreed by the Board to adjourn the meeting of the Board of Examiners of Assisted Living Administrators.

Submitted by: _____
Date

Approved by Board: _____
Date

Signature: _____
Executive Director

Signature: _____
Chair